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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: CP DEPUTY

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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

CALIFORNIA EDUCATION COMMITTEE, LLC and PRISCILLA SCHREIBER,

Plaintiffs,

v.

ARNOLD SCHWARZENEGGER, in his official capacity as Governor of the State of California; EDMUND G. BROWN, JR., in his official capacity as Attorney General of the State of California; JACK O'CONNELL in his official capacity as California Superintendent of Public Instruction; and DOES 1 through 20 inclusive,

Defendants.

CASE NO. '07 CV 2246 BTM (WMC)

Dept: TBD
Judge: TBD

Via FAX

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND NOMINAL DAMAGES

Nature of Action

Civil Rights Suit Under 42 U.S.C. § 1983 and California Constitution Article 1, Section 1

Filing Date: November 27, 2007
Trial Date: TBD

CR

COME NOW Plaintiffs, by and through counsel, to show the Court the following:

I.

INTRODUCTION

1. The Governor of California recently signed into law Senate Bill 777, which will take effect on January 11, 2008. Senate Bill 777, in conjunction with the California Penal Code, introduces a new definition of "gender" into the California Education Code and is part of an overall nondiscrimination scheme applicable to schools in California. Senate Bill 777 recklessly abandons the traditional understanding of biological sex in favor of an elusive definition that is unconstitutionally vague. This lawsuit facially challenges the redefinition of the term "gender" as it will be impossible for school administrators and educators to enforce this new definition. Further, it will be impossible for administrators and educators to know whether they themselves are violating the nondiscrimination provisions of the Education Code or the Penal Code. Additionally, the special treatment intended for a select few students through the enforcement of Senate Bill 777 will result in the violation of the privacy rights of the remainder of students not targeted for special treatment under Senate Bill 777. For these reasons, Plaintiffs bring this lawsuit based upon the prohibition against vague enactments as established in the Federal Constitution and the right to privacy founded in the California Constitution.

II.

JURISDICTION AND VENUE

2. This action arises under the First and Fourteenth Amendments to the United States Constitution, the Civil Rights Act (42 U.S.C. §§ 1983 and 1985), and the California Constitution Article 1, Section 1.

3. This Court has jurisdiction over this case pursuant to 28 U.S.C. § 1331 and 1343, this being a suit in equity authorized by law to be brought to redress the deprivation, under color of law, statute, regulation, or custom and usage of the state of California, of rights, privileges and immunities secured by the laws and Constitution of the United States, particularly the First and Fourteenth Amendments of the Constitution of the United States pursuant to 42 U.S.C. § 1983.

4. This Court has supplemental jurisdiction over this case pursuant to 28 U.S.C. §

1367 because this complaint sets forth claims arising under federal law, and the District Court may therefore adjudicate state law claims that are transactionally related to the federal claim.

5. Venue is proper in the Southern District of California under 28 U.S.C. § 1391, because several Defendants maintain offices in this district, and a substantial part of the actions or omission giving rise to this case occurred, or will occur, within the Southern District of California.

6. This Court is authorized to grant the relief requested under 28 U.S.C. §§ 2201-02 and Rule 65 of the Federal Rules of Civil Procedure for the purpose of determining the following question and actual controversy between the parties: whether Senate Bill 777 and California's definition of "gender" under the Penal Code and Education Code violate the prohibition against vague enactments under the First Amendment to the United States Constitution as applied to the state under the Due Process Clause of the Fourteenth Amendment to the United States Constitution,

7. This Court is authorized to grant Plaintiffs' prayer for relief regarding costs, including reasonable attorneys' fees, pursuant to 42 U.S.C. § 1988.

III.

IDENTIFICATION OF THE PARTIES

8. Plaintiff California Education Committee, LLC ("CEC") is an association of persons directly involved in the California public education environment, inclusive of school board members, teachers, school counselors, parents and students. CEC represents numerous individuals residing in San Diego County, California, and elsewhere in California. Members of CEC include, but are not limited to, the following:

a. CEC members Larry Urdahl, Robert Shield, and Jim Kelly are school board members for the Grossmont Union High School District, a public school district located in San Diego County, California. As school board members, they are responsible for the implementation and enforcement of laws applicable to public schools and will be responsible as trustees to apply and enforce Senate Bill 777 and California's definition of "gender."

b. CEC member Louis F. Russo is a high school teacher and cross country coach for Bonita Vista High School in San Diego County. As a coach of both boys and girls' teams, Mr. Russo is responsible for the supervision of students. He is responsible for the implementation and enforcement of laws applicable to public schools and will be responsible as a teacher and coach to apply and enforce Senate Bill 777 and California's definition of "gender." This responsibility extends to the use of locker rooms and restrooms by students.

c. CEC member Tom Petrich is a public high school teacher and counselor within the Murrieta Valley Unified School District. As a school teacher and counselor, Mr. Petrich is responsible for the implementation and enforcement of laws applicable to public schools and will be responsible as a teacher and counselor to apply and enforce Senate Bill 777 and California's definition of "gender."

d. CEC member Lawrence Martinez is a middle school physical education teacher within the Los Angeles Unified School District. As a physical education teacher, Mr. Martinez is responsible for the implementation and enforcement of laws applicable to public schools and will be responsible as a physical education teacher to apply and enforce Senate Bill 777 and California's definition of "gender."

e. CEC member Jennifer N., by and through her parents Roger and Julie N., is a California public high school student in San Diego County who is involved in extracurricular athletics at her high school and regularly uses the girls' restroom and girls' locker room facilities provided at her school. This student is representative of other CEC members and other California public school students whose privacy rights will be impacted by Senate Bill 777 and California's definition of "gender."

9. Plaintiff PRISCILLA SCHREIBER is a school board member for the Grossmont

Union High School District, a public school district located in San Diego County, California. As a school board member, she is responsible for the implementation and enforcement of laws applicable to public schools and will be responsible as a trustee to apply and enforce Senate Bill 777 and California's definition of "gender."

10. Defendant ARNOLD SCHWARZENEGGER at all times relevant herein was and is the Governor for the State of California. This defendant is sued in his official capacity. The Office of Governor maintains an office in San Diego County, California, and is established, organized, and authorized under and pursuant to the laws of California with the authority to sue and be sued in its own name. Defendant ARNOLD SCHWARZENEGGER, as Governor, signed the Senate Bill 777 into law and is responsible to uphold and enforce the laws of California, including Senate Bill 777 and California's prohibition of discrimination against persons on the basis of "gender" as defined in California law.

11. Defendant EDMUND G. BROWN, JR., at all times relevant herein was and is the Attorney General for the State of California. This defendant is sued in his official capacity. The Office of Attorney General maintains an office in San Diego County, California, and is established, organized, and authorized under and pursuant to the laws of California with the authority to sue and be sued in its own name. Defendant EDMUND G. BROWN, JR., as Attorney General, is responsible to prosecute and enforce the laws of California, including Senate Bill 777 and California's prohibition of discrimination against persons on the basis of "gender" as defined in California law.

12. Defendant JACK O'CONNELL at all times relevant herein was and is the Superintendent of Public Instruction for the State of California. This defendant is sued in his official capacity. The Superintendent of Public Instruction is established, organized, and authorized under and pursuant to the laws of California with the authority to sue and be sued in its own name. Defendant JACK O'CONNELL is responsible to enforce the education laws of California, including Senate Bill 777 and California's prohibition of discrimination against persons on the basis of "gender" as defined in the California Education Code.

13. DOE Defendants 1 through 20 are unknown to Plaintiffs at this time, but each is to

be identified in this case as a resident of the State of California and acting in all particulars material to this case in his or her official capacity and under color of state law.

IV.

STATEMENT OF FACTS

14. The California Secretary of State chaptered Senate Bill 777 into law on October 12, 2007, after it was signed by Governor Schwarzenegger. Senate Bill 777 will take effect on January 11, 2008.

15. Pursuant to Senate Bill 777, California Education Code § 220 will be amended to add "gender" and "sexual orientation" expressly to the classifications of protected groups and remove the term "sex" as a classification. Education Code § 220 will read as follows: "No person shall be subjected to discrimination on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid."

16. Currently, Education Code § 220 provides as follows: "No person shall be subjected to discrimination on the basis of sex, ethnic group identification, race, national origin, religion, color, mental or physical disability, or any actual or perceived characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid."

17. Senate Bill 777 redefines the term "gender" by adding Education Code § 210.7, which will read: "'Gender' means sex, and includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth."

18. Senate Bill 777 will eliminate the biological understanding of the term "gender" and will repeal Education Code § 212, which currently defines "sex" as "the biological condition or quality of being a male or female human being."

19. Senate Bill 777 adds Education Code § 212.6, which defines "sexual orientation" to mean "heterosexuality, homosexuality, or bisexuality."

20. Senate Bill 777 requires educators to avoid discriminating against any individual employee, student, or other person based upon that individual's self-identification of being a male or female, regardless of his or her actual sex. This requires educators to have foreknowledge of the private mental impressions, thoughts, and disabilities of each person with whom the educational institution comes into contact.

21. Senate Bill 777 places educators in the impossible position of (1) reading the minds of individuals to determine the individual's self-defined sexual identity so as not to inadvertently discriminate against an individual based upon their self-defined sex and (2) protecting the privacy and safety of all students from persons of the opposite sex,. There is no limitation on how often a person may change their self-defined sex and there are no applicable standards upon which educators may rely in order to implement Senate Bill 777.

22. Senate Bill 777 also amends Education Code § 51500 to state as follows: "No teacher shall give instruction nor shall any school district sponsor any activity that promotes a discriminatory bias because of a characteristic listed in Section 220." This provision is unconstitutionally vague because it places an educator in the impossible position of knowing whether an instruction or activity "promotes a discriminatory bias." For example, any curriculum or instruction that pre-assumes the existence of a mother and father in a family relationship might be construed to promote a discriminatory bias against persons choosing alternative relationships. A violation of this provision could cause educators to be disciplined by their employers or cause educators to be guilty of discrimination.

23. Educators are also in the vulnerable position of being in violation of the California Penal Code should they fail to guess properly at an individual's self-defined sex. California Penal Code § 422.55(a)-(b) establishes the definition of a hate crime:

> (a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim: (1) Disability. (2) Gender. (3) Nationality.

> (4) Race or ethnicity. (5) Religion. (6) Sexual orientation. (7) Association with a person or group with one or more of these actual or perceived characteristics.
>
> (b) "Hate crime" includes, but is not limited to, a violation of Section 422.6.

24. Like the California Education Code, California Penal Code § 422.56(c) defines "gender" to mean "sex, and includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth."

25. Further, California Penal Code § 422.6(a) places an extremely broad category of actions that would amount to a crime:

> (a) No person, whether or not acting under color of law, shall by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States in whole or in part because of one or more of the actual or perceived characteristics of the victim listed in subdivision (a) of Section 422.55.

26. As public school educators are responsible in their normal functions to separate males and females in school restrooms, locker rooms, and other facilities for the sake of student/employee privacy and public safety, educators and administrators will be in criminal violation of the Penal Code if they physically or forcefully interfere with, or threaten to interfere with, any student or employee seeking access to facilities traditionally reserved to the opposite sex, whether by intimidation, oppression, or threat of suspension,.

27. Unless and until the above-referenced laws are enjoined, Plaintiffs will suffer irreparable harm to their federal and state constitutional rights to due process and privacy.

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V.

FIRST CAUSE OF ACTION

Violation of the Due Process Clause of

The Fourteenth Amendment to the United States Constitution

28. Plaintiffs re-allege and incorporate herein by reference all preceding paragraphs.

29. Education Code § 220 as amended by Senate Bill 777, Education Code § 210.7 as added by Senate Bill 777, Education Code § 212.6 as added by Senate Bill 777, Education Code § 51500 as amended by Senate Bill 777, the removal of Education Code § 212, and the related statutory scheme are void for vagueness because their prohibitions are not clearly defined.

30. Penal Code §§ 420.6(a), 420.55(a)(2) and (6), 420.55(b) and 420.56(c) are void for vagueness because their prohibitions are not clearly defined.

31. The laws fail to give a person of ordinary intelligence a reasonable opportunity to know what is prohibited, so that he or she may act accordingly. Further, the laws are vague because, first, they may trap the innocent by not providing fair warning; second, they impermissibly delegate basic policy matters to policemen, judges, and juries for resolution on an *ad hoc* and subjective basis, with attendant dangers of arbitrary and discriminatory application; and, third, they abut sensitive areas of basic First Amendment freedoms and in their operation inhibit the exercise of those freedoms.

32. Defendants have no compelling reason to justify these vague enactments, and said enactments are not narrowly tailored to further a state interest.

33. The laws and Defendants' enforcement thereof violate the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the equitable and legal relief set forth hereinafter in the prayer for relief.

VI.

SECOND CAUSE OF ACTION

California Constitution, Article 1, Section 1

34. Plaintiffs re-allege and incorporate herein by reference all preceding paragraphs.

35. Article 1, Section 1, of the California Constitution provides as follows: "All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy."

36. Plaintiffs' members, inclusive of public school employees and students, are entitled to safety and privacy. The laws specified in the first cause of action are in contravention to the rights of safety and privacy and amount to a serious invasion of those interests. Particularly, Plaintiffs' members are entitled to safety and privacy in restrooms, locker rooms, and other public facilities where males and females are systematically separated based upon the reasonable expectation of privacy – privacy interests which have long been respected and even celebrated between males and females.

37. Unless the above-referenced laws are restrained and enjoined by this Court, there is a substantial danger that Plaintiffs' members will be subjected to extreme embarrassment, humiliation, anxiety, intimidation, and emotional distress. Further, there is a substantial danger to the physical safety of Plaintiffs' members.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the equitable and legal relief set forth hereinafter in the prayer for relief.

VI.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment as follows:

A. That this Court issue Preliminary and Permanent Injunctions enjoining Defendants, Defendants' agents and employees, and all persons in active concert or participation with them from enforcing the laws set forth in the first cause of action;

B. That this Court render a Declaratory Judgment declaring that the laws set forth in the first cause of action violate the First and Fourteenth Amendments to the United States Constitution;

C. That this Court render a Declaratory Judgment declaring that the laws set forth in the second cause of action violate the California Constitution Article 1, Section 1;

D. That this Court adjudge, decree, and declare the rights and other legal relations with the subject matter here in controversy, in order that such declaration shall have the force and effect of final judgment;

E. That this Court retain jurisdiction of this matter for the purpose of enforcing this Court's order;

F. That this Court grant to Plaintiffs reasonable costs and expenses of this action, including attorneys' fees, in accordance with 42 U.S.C. § 1988; and

G. That this Court grant such other and further relief as this Court deems just and proper.

Dated: November 27, 2007

Respectfully submitted,
ADVOCATES FOR FAITH AND FREEDOM

By: s/ Robert Tyler VIA FACSIMILE
Robert H. Tyler
Email: rtyler@faith-freedom.com
Attorneys for Plaintiffs

D. That this Court adjudge, decree, and declare the rights and other legal relations with the subject matter here in controversy, in order that such declaration shall have the force and effect of final judgment;

E. That this Court retain jurisdiction of this matter for the purpose of enforcing this Court's order;

F. That this Court grant to Plaintiffs reasonable costs and expenses of this action, including attorneys' fees, in accordance with 42 U.S.C. § 1988; and

G. That this Court grant such other and further relief as this Court deems just and proper.

Dated: November 27, 2007

Respectfully submitted,
ADVOCATES FOR FAITH AND FREEDOM

By: R Tyler

Robert H. Tyler
Email: rtyler@faith-freedom.com
Attorneys for Plaintiffs

UNITED STATES
DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

# 144848 - BH

November 27, 2007
13:42:45

Civ Fil Non-Pris
USAO #.: 07CV2246 CIVIL FILING
Judge..: BARRY T MOSKOWITZ
Amount.: $350.00 CK
Check#.: BC# 1511

Total-> $350.00

FROM: CA EDUCATION COMM. V.
SCHWARZENEGGER ET AL
CIVIL FILING

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

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I. (a) PLAINTIFFS
CALIFORNIA EDUCATION COMMITTEE, LLC and PRISCILLA SCHREIBER,

DEFENDANTS
Governor of the State of California, SCHWARZENEGGER, ARNOLD, (See attached for remaining Defendants.)

SOUTHERN DISTRICT OF CALIFORNIA

(b) County of Residence of First Listed Plaintiff SAN DIEGO
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant SACRAMENTO
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

DEPUTY

(c) Attorney's (Firm Name, Address, and Telephone Number)
Robert H. Tyler & Jennifer L. Monk, Advocates for Faith & Freedom
24910 Las Brisas Rd., Suite 110, Murrieta, CA 92562 T: (951) 304-7583

Attorneys (If Known)
'07 CV 2246 BTM (WMC)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) (For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated or Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated and Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT
☐ 110 Insurance
☐ 120 Marine
☐ 130 Miller Act
☐ 140 Negotiable Instrument
☐ 150 Recovery of Overpayment & Enforcement of Judgment
☐ 151 Medicare Act
☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans)
☐ 153 Recovery of Overpayment of Veteran's Benefits
☐ 160 Stockholders' Suits
☐ 190 Other Contract
☐ 195 Contract Product Liability
☐ 196 Franchise

REAL PROPERTY
☐ 210 Land Condemnation
☐ 220 Foreclosure
☐ 230 Rent Lease & Ejectment
☐ 240 Torts to Land
☐ 245 Tort Product Liability
☐ 290 All Other Real Property

TORTS
PERSONAL INJURY
☐ 310 Airplane
☐ 315 Airplane Product Liability
☐ 320 Assault, Libel & Slander
☐ 330 Federal Employers' Liability
☐ 340 Marine
☐ 345 Marine Product Liability
☐ 350 Motor Vehicle
☐ 355 Motor Vehicle Product Liability
☐ 360 Other Personal Injury

PERSONAL INJURY
☐ 362 Personal Injury - Med. Malpractice
☐ 365 Personal Injury - Product Liability
☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
☐ 370 Other Fraud
☐ 371 Truth in Lending
☐ 380 Other Personal Property Damage
☐ 385 Property Damage Product Liability

CIVIL RIGHTS
☐ 441 Voting
☐ 442 Employment
☐ 443 Housing/ Accommodations
☐ 444 Welfare
☐ 445 Amer. w/Disabilities - Employment
☐ 446 Amer. w/Disabilities - Other
☒ 440 Other Civil Rights

PRISONER PETITIONS
☐ 510 Motions to Vacate Sentence
Habeas Corpus:
☐ 530 General
☐ 535 Death Penalty
☐ 540 Mandamus & Other
☐ 550 Civil Rights
☐ 555 Prison Condition

FORFEITURE/PENALTY
☐ 610 Agriculture
☐ 620 Other Food & Drug
☐ 625 Drug Related Seizure of Property 21 USC 881
☐ 630 Liquor Laws
☐ 640 R.R. & Truck
☐ 650 Airline Regs.
☐ 660 Occupational Safety/Health
☐ 690 Other

LABOR
☐ 710 Fair Labor Standards Act
☐ 720 Labor/Mgmt. Relations
☐ 730 Labor/Mgmt.Reporting & Disclosure Act
☐ 740 Railway Labor Act
☐ 790 Other Labor Litigation
☐ 791 Empl. Ret. Inc. Security Act

BANKRUPTCY
☐ 422 Appeal 28 USC 158
☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
☐ 820 Copyrights
☐ 830 Patent
☐ 840 Trademark

SOCIAL SECURITY
☐ 861 HIA (1395ff)
☐ 862 Black Lung (923)
☐ 863 DIWC/DIWW (405(g))
☐ 864 SSID Title XVI
☐ 865 RSI (405(g))

FEDERAL TAX SUITS
☐ 870 Taxes (U.S. Plaintiff or Defendant)
☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
☐ 400 State Reapportionment
☐ 410 Antitrust
☐ 430 Banks and Banking
☐ 450 Commerce
☐ 460 Deportation
☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 480 Consumer Credit
☐ 490 Cable/Sat TV
☐ 810 Selective Service
☐ 850 Securities/Commodities/ Exchange
☐ 875 Customer Challenge 12 USC 3410
☐ 890 Other Statutory Actions
☐ 891 Agricultural Acts
☐ 892 Economic Stabilization Act
☐ 893 Environmental Matters
☐ 894 Energy Allocation Act
☐ 895 Freedom of Information Act
☐ 900Appeal of Fee Determination Under Equal Access to Justice
☐ 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)
☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. § 1983
Brief description of cause:
Civil Rights Suit Under 42 U.S.C. § 1983 and California Constitution Article 1, Section 1

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23
DEMAND $
CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE DOCKET NUMBER

DATE
11/27/2007

SIGNATURE OF ATTORNEY OF RECORD
R Tyler VIA FACSIMILE

FOR OFFICE USE ONLY

RECEIPT # 144848 AMOUNT $350- 11/27/07 [illegible] APPLYING IFP JUDGE MAG. JUDGE

ce